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E & R AMENDMENTS TO LB 365

1           1.     Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           "Section 1.   Section 16-404, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           16-404.   (1) All ordinances and resolutions or orders for  
6 the appropriation or payment of money shall require for their  
7 passage or adoption the concurrence of a majority of all members  
8 elected to the council. The mayor may vote on any such matter when  
9 his or her vote will provide the additional vote required to create  
10 a number of votes equal to a majority of the number of members  
11 elected to the council, and the mayor shall, for the purpose of  
12 such vote, be deemed to be a member of the council.

13          (2) Ordinances of a general or permanent nature shall be  
14 read by title on three different days unless three-fourths of the  
15 council members vote to suspend this requirement, except that in a  
16 city having a commission form of government such requirement may be  
17 suspended by a three-fifths majority vote. Regardless of the form  
18 of government, such requirement shall not be suspended for any  
19 ordinance for the annexation of territory. In case such  
20 requirement is suspended, the ordinances shall be read by title or  
21 number and then moved for final passage. Three-fourths of the  
22 council members may require a reading of any such ordinance in full  
23 before enactment under either procedure set out in this section,  
24 except that in a city having a commission form of government such

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1 reading may be required by a three-fifths majority vote.

2           (3) Ordinances shall contain no subject which is not  
3 clearly expressed in the title, and, except as provided in section  
4 19-915, no ordinance or section thereof shall be revised or amended  
5 unless the new ordinance contains the entire ordinance or section  
6 as revised or amended and the ordinance or section so amended is  
7 repealed, except that:

8           (a) For ~~for~~ an ordinance revising all the ordinances of  
9 the city, the only title necessary shall be An ordinance of the  
10 city of ....., revising all the ordinances of the city. Under  
11 such title all the ordinances may be revised in sections and  
12 chapters or otherwise, may be corrected, added to, and any part  
13 suppressed, and may be repealed with or without a saving clause as  
14 to the whole or any part without other title; and

15           (b) For an ordinance used solely to revise ordinances or  
16 code sections or to enact new ordinances or code sections in order  
17 to adopt statutory changes made by the Legislature which are  
18 specific and mandatory and bring the ordinances or code sections  
19 into conformance with state law, the title need only state that the  
20 ordinance revises those ordinances or code sections affected by or  
21 enacts ordinances or code sections generated by legislative  
22 changes. Under such title, all such ordinances or code sections  
23 may be revised, repealed, or enacted in sections and chapters or  
24 otherwise by a single ordinance without other title.

25           Sec. 2. Section 17-614, Revised Statutes Supplement,  
26 2002, is amended to read:

27           17-614. (1) All ordinances and resolutions or orders for

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1 the appropriation or payment of money shall require for their  
2 passage or adoption the concurrence of a majority of all members  
3 elected to the council or board of trustees. Ordinances of a  
4 general or permanent nature shall be read by title on three  
5 different days unless three-fourths of the council or board vote to  
6 suspend this requirement, except that such requirement shall not be  
7 suspended for any ordinance for the annexation of territory. In  
8 case such requirement is suspended, the ordinances shall be read by  
9 title and then moved for final passage. Three-fourths of the  
10 council or board may require a reading of any such ordinance in  
11 full before enactment under either procedure set out in this  
12 section.

13 (2) Ordinances shall contain no subject which is not  
14 clearly expressed in the title, and, except as provided in section  
15 19-915, no ordinance or section thereof shall be revised or amended  
16 unless the new ordinance contains the entire ordinance or section  
17 as revised or amended and the ordinance or section so amended is  
18 repealed, except that: ~~for~~

19 (a) For an ordinance revising all the ordinances of the  
20 city or village, the title need only state that the ordinance  
21 revises all the ordinances of the city or village. Under such  
22 title all the ordinances may be revised in sections and chapters or  
23 otherwise, may be corrected, added to, and any part suppressed, and  
24 may be repealed with or without a saving clause as to the whole or  
25 any part without other title; and

26 (b) For an ordinance used solely to revise ordinances or  
27 code sections or to enact new ordinances or code sections in order

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1 to adopt statutory changes made by the Legislature which are  
2 specific and mandatory and bring the ordinances or code sections  
3 into conformance with state law, the title need only state that the  
4 ordinance revises those ordinances or code sections affected by or  
5 enacts ordinances or code sections generated by legislative  
6 changes. Under such title, all such ordinances or code sections  
7 may be revised, repealed, or enacted in sections and chapters or  
8 otherwise by a single ordinance without other title.

9           Sec. 3.     Original section 16-404, Reissue Revised  
10 Statutes of Nebraska, and section 17-614, Revised Statutes  
11 Supplement, 2002, are repealed.".

12           2. On page 1, line 1, strike "of the second class"; in  
13 line 2 after "section" insert "16-404, Reissue Revised Statutes of  
14 Nebraska, and section"; and in line 4 strike "section" and insert  
15 "sections".